Applicant: Aaron A. McBride et al.

Serial No.: 09/758,491 Filed: January 10, 2001

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REMARKS

The claims have been amended to recite what happens if a data field of the received unmodified data differs from the corresponding data field of the current data, namely that "at least one of the data fields of the received unmodified data [is updated] to include the current data" and "at least one of the data fields of the received unmodified data [is updated] to include the modified data."

The examiner contends that the claims would have been obvious from Ho and Goldberg. The applicant disagrees.

Rather, Ho discloses:

In the event that the current data segment 108 is not equivalent to the state data segment 128, the comparison module determines that the current data segment 108 has been updated during the web user update. Thus, the user has not updated a current copy of data segment 108. In such an event, the transaction manager module 112 replaces the modifiable and state data segments 126, 129 with the current data segment 108. [col. 10, line 66 – col. 11, line 6]

What is significant about Ho is the last step, in which what the current data segment replaces is the modifiable and state data segments. In other words, the portions of the data that were updated during the web user update are apparently discarded completely and replaced by the current data segment. In claim 1, by contrast, one of the things that happens if one of the data fields of the received unmodified data differs from the current data, is the "updating [of] at least one of the data fields of the received unmodified data to include the <u>modified</u> data." In other words, at least some of the modified data is not discarded.

Further, Goldberg neither discloses nor suggests unmodified data, modified data, and current data, much less "updating at least one of the data fields of the received unmodified data to include the current data and updating at least one of the data fields of the received unmodified data to include the modified data", as required in claim 1.

Independent claims 7, 13, 18 and 32 are patentable for at least some of the same reasons given with respect to claim 1.

All of the dependent claims are patentable for at least the same reasons as the claims on which they depend.

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It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

Enclosed is a \$72 check for excess claim fees. Please apply any charges or credits to deposit account 06-1050.

Respectfully submitted,

4/27/04 Date:

> Mandy Jubang Reg. No. 45,884

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